

EXHIBIT

Badgaiyan

5/17/06 CAC

Dombrowski, Louise A.

**From:** Mushrush, Grace J.  
**Sent:** Wednesday, September 18, 2002 2:41 PM  
**To:** Dombrowski, Louise A.  
**Cc:** Mushrush, Grace J.  
**Subject:** FW: Dr. B

-----Original Message-----

**From:** Swett, Chester P.  
**Sent:** Friday, May 17, 2002 9:43 AM  
**To:** 'Robert W. McCarley, M.D.'  
**Cc:** Mushrush, Grace J.  
**Subject:** RE: Dr. B

Either Grace or I will discuss with him in person.

Chester P. Swett, M.D.

**From:** Robert W. McCarley, M.D. [SMTP:robert\_mccarley@hms.harvard.edu]  
**Sent:** Friday, May 17, 2002 6:50 AM  
**To:** Swett, Chester P.  
**Subject:** Re: Dr. B

Sounds OK. I think it will be important for someone to discuss with him in person.

RWM

At 06:51 AM 5/16/2002 -0700, you wrote:

>The promotions committee of the BR residency program met recently to review  
>all of the residents. All were promoted except for one. There was some  
>sentiment that he should be dismissed from the program. Finally, the  
>committee unanimously recommended that he have three additional months of  
>remedial work before being promoted to the PGY 4 year. We noted that his  
>research is of very high quality. Nevertheless, his clinical work and  
>attitude are not so good. Those present at the meeting were Drs. Mushrush,  
>Festlin, Levitt, Gurrera, Osser, and Swett. We have not informed him as yet.  
>If you want to discuss this further, let me know. I note that the email did  
>not transmit the file, so Dr. Mushrush gave me a disc.  
> <<Rajendra Badgaiyan, M\_D.eml>>  
>  
>Chester P. Swett, MD

Further documentation  
of promotions  
committee mtg